

Exhibit D-1

DAVID J. CAREY

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EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

J.D., May 2009

Honors: *Annual Survey of American Law*, Articles Editor (2008-09), Staff Editor (2007-08), Note Writing Program (2007-08)

Robert McKay Scholar (Top 25% of the class after four semesters)

Academic Careers Research Fellowship

Note: *Reliability Discarded: The Irrelevance of the Medical Exception to Hearsay in Post-Crawford Confrontation Clause Jurisprudence*, 64 N.Y.U. Ann. Surv. Am. L. 653 (2009)

COLLEGE OF WILLIAM AND MARY, Williamsburg, VA

B.A. in History, *magna cum laude* and High Honors in History, *Phi Beta Kappa*, May 2006

Second Major: Philosophy Minor: Classical Civilization

Honors Thesis: *The Burden of Memory: German Holocaust Memorialization 1945-2006*

Honors: James Monroe Scholar (research grant for students in top 10% of incoming class)

Dean's List (five semesters)

EXPERIENCE

AMERICAN CIVIL LIBERTIES UNION OF OHIO FOUNDATION, Columbus, OH

Senior Staff Attorney, September 2018-present

Litigate civil liberties cases in Ohio federal and state court, from case development through appeal. Devise case strategies and legal arguments, investigate underlying facts, and handle all aspects of ensuing litigation. Lead counsel in class action habeas litigation for federal prisoners at risk of COVID-19 infection, before the Northern District of Ohio, Sixth Circuit, and Supreme Court. Co-counsel in challenge to partisan gerrymandering of Ohio's congressional districts, before the Southern District of Ohio. Argued before Supreme Court of Ohio as an amicus in successful effort to strike a probation condition banning procreation. Coordinate volunteer attorneys and supervise junior staff, legal fellows, and law clerks. Conduct public educational outreach, including panel discussions on Ohio redistricting practices and parole system.

THOMPSON HINE LLP, Columbus, OH

Associate, Business Litigation, July 2012-August 2018

Practiced in business litigation and product liability groups, handling broad range of business torts and contract disputes. Conducted and supervised all aspects of litigation from investigation through appeal, including drafting all categories of pleadings and briefs at trial and appellate levels, conducting oral arguments, preparing and deposing lay and expert witnesses, and conducting written and electronic discovery. First-chair trial experience. Active pro bono practice in civil rights, including briefing First Amendment implications of political false-statements law, briefing Sixth Amendment public trial violation, challenging Ohio Parole Board "first flop" practice, and challenging state policy denying birth certificate sex marker changes.

SIDLEY AUSTIN LLP, New York, NY

Associate, Complex Commercial Litigation, January 2011-July 2012; **Summer Associate**, May-August 2008

Worked on complex commercial litigation matters including SEC enforcement, bankruptcy, antitrust litigation, and Foreign Corrupt Practices Act litigation. Drafted motions and briefs, drafted deposition and witness examination outlines, performed legal research and drafted memoranda, and managed electronic discovery. In pro bono capital habeas appeal in Alabama, prepared witnesses, drafted portions of petition for relief, and assisted at evidentiary hearing. Drafted opinion of disciplinary panel regarding attorney's application for reinstatement to the New York bar.

PROFESSOR BARRY FRIEDMAN, NEW YORK UNIVERSITY SCHOOL OF LAW, Woodbridge, VA

Research Assistant, November 2009-December 2010

Position accepted pro bono under a fellowship from Sidley Austin LLP. Wrote popular and academic articles and research memoranda in criminal procedure, criminal law, constitutional law, and legal history. Topics included constitutionality of health care reform, the creation of the USA-PATRIOT Act and other surveillance laws, and Fourth Amendment compliance of police search and seizure guidelines.

BAR AND COURT ADMISSIONS

Admitted in Ohio and New York; U.S. District Courts for Southern and Northern Districts of Ohio, Eastern and Southern Districts of New York, and Eastern District of Michigan; U.S. Courts of Appeals for Sixth and Ninth Circuits; and Supreme Court of the United States.